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Commonwealth of Kentucky

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David L. Armstrong Chairman

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September 28, 2011

LG&E and KU Services Company Attention: Allyson Sturgeon 220 West Main Street P.O. Box 32010 Louisville, Kentucky 40202

Re: Kentucky Utilities Company

Petition for Confidential Protection received 9/13/11

PSC Reference #: 2011-00247

Dear Ms. Sturgeon:

The Public Service Commission has received the Petition for Confidential Protection you filed on September 13, 2011 on behalf of Kentucky Utilities Company ("KU") to protect certain information filed with the Commission as confidential pursuant to Section 7 of 807 KAR 5:001 and KRS 61.878. The information you seek to have treated as confidential is identified as being contained in KU's Responses to Commission Data Request Nos. 12(a) and 19 per Appendix to Order dated August 23, 2011. The information is more particularly described as (No. 12a) – terms and conditions of KU's settlement of contract disputes; and (No. 19) – coal bid analysis information which reveals the business model used in evaluating bids for coal supply.

Your justification for having the Commission handle this material as confidential is that the public disclosure of the information would compromise KU's competitive position in the industry and result in an unfair commercial advantage to its competitors.

Based on a review of the information and pursuant to KRS 61.878 and 807 KAR 5:001, Section 7, the Commission has determined that the information requested to be held confidential is of a proprietary nature, which if publicly disclosed would permit an unfair commercial advantage to KU's competitors. Therefore, the information requested to be treated as confidential **meets the criteria for confidential protection** and will be maintained as a nonpublic part of the Commission's file in this case. The procedure for



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usage of confidential materials during formal proceedings may be found at Section 7(8) of 807 KAR 5:001.

If the information becomes publicly available or no longer warrants confidential treatment, Kentucky Utilities Company is required by Section 8(9)(a) of KAR 5:001 to inform the Commission so that the information may be placed in the public record.

Ekecutive Director

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cc: Parties of Record